

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

2011-05-17 AM 8:49

Michael B. Kingsley,
Plaintiff

v.

10-cv-832-bbc

Lisa Josvai, et.al
Defendants

DECLARATION IN SUPPORT OF PLAINTIFF'S
MOTION FOR APPOINTMENT OF COUNSEL

Michael B. Kingsley States:

1. I am the plaintiff in the above-entitled case. I make this declaration in support of my Motion for this appointment of counsel.

2. The complaint in this case alleges that the plaintiff was subjected to the misuse of force by several jail officers, some of whom actively used a tazer/stun gun on him and others of whom watched and failed to intervene. It alleges that supervisory officials were aware of the violent pattern and are liable for failing to take action to control them. The plaintiff was subsequently denied due process in a disciplinary hearing, and the appeal was denied by the chief Deputy.

3. This a complex case because it contains several different legal claims, with claims involving different defendants.

4. The case may have issues that require expert testimony

5. The plaintiff has demanded a jury trial.

6. The case will require discovery of documents and depositions of witnesses.

7. The testimony will be in sharp conflict, since the plaintiff alleges that the defendants assaulted him, while the defendants in their reports allege that he resisted them.

8. The plaintiff has only a high school education and has no legal education.

9. The plaintiff is incarcerated, and has very limited access to legal materials and has no ability to investigate the facts of the case, for example, by locating and interviewing other inmates who were housed in the same cell block.

10. As set forth in the Memorandum of Law submitted with this motion, these facts, along with the legal merit of plaintiff's claims, support the appointment of counsel to represent the plaintiff.

WHEREFORE, the plaintiff's Motion for appointment of counsel should be granted.

Pursuant to 28 U.S.C. ss. 1746, I declare under the penalty of perjury the foregoing is true and correct.

Signed this 12th day of May 2011

Michael B. Kingsley

Michael B. Kingsley

-Pro-Se-